

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA**

**vs**

**CASE NO.: 3:99-00077-010 (JAF)**

**GERONIMO PIZARRO-CALDERON**

\* \* \* \* \*

**MOTION NOTIFYING SUPERVISED RELEASE VIOLATIONS  
AND REQUEST THE ISSUANCE OF A WARRANT**

**TO THE HONORABLE JOSE A. FUSTE, CHIEF  
U.S. DISTRICT JUDGE  
DISTRICT OF PUERTO RICO**

**COMES NOW, BRENDA LEE NIEVES-RODRIGUEZ, U.S. PROBATION OFFICER of this Court**, presenting an official report on the conduct and attitude of releasee, Gerónimo Pizarro-Calderón, who on September 11, 2000, was sentenced in the District of Puerto Rico to seventy-two (72) months of imprisonment after he pled guilty of violating Title 21, U.S. Code, § 846. A four (4) year supervised release term and a special monetary assessment in the amount of \$100.00 were also imposed. On July 23, 2004, Mr. Pizarro was released from custody to our district to commence his supervised release term.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AS FOLLOWS:**

Since his release from custody, the offender has violated the following condition of his supervised release term:

**1. "THE DEFENDANT SHALL REFRAIN FROM ANY UNLAWFUL USE OF A CONTROLLED SUBSTANCE. THE DEFENDANT SHALL SUBMIT TO ONE DRUG TEST WITHIN 15 DAYS OF RELEASE OF SUPERVISED RELEASE, AT LEAST TWO (PERIODIC TESTS THEREAFTER, AND WHENEVER SO REQUESTED BY THE PROBATION OFFICER.**

**IF ANY SUCH SAMPLES DETECT SUBSTANCE ABUSE, THAT THE DEFENDANT PARTICIPATE IN A SUBSTANCE ABUSE TREATMENT PROGRAM, ARRANGED AND APPROVED BY THE U.S. PROBATION OFFICER, UNTIL DULY DISCHARGED BY AUTHORIZED PROGRAM PERSONNEL WITH THE APPROVAL OF THE U.S. PROBATION OFFICER.”**

The offender has been on Phase I of the urine collection program since August 20, 2006. Since that date, Mr. Pizarro has tested positive to cocaine seven (7) times. Four (4) of those tests dated August 29 and September 18, 2006 and June 20 and July 24, 2007, were confirmed positive by Scientific Laboratories. He has also stalled on twenty (20) occasions. The offender does not admit to drug use, therefore making it difficult to receive drug treatment. He has been urged in the past to discontinue the use of said illicit drug and was warned as to the consequences if he did not do as instructed.

**WHEREFORE**, in lieu of the aforementioned, it is respectfully requested that a warrant for the offender's arrest be issued so that the offender may be brought before this Honorable Court to show cause why his supervised release should not be revoked. Thereupon, that he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 1<sup>st</sup> day of August 2007.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF  
U.S. PROBATION OFFICER

s/Brenda Lee Nieves Rodríguez  
Brenda Lee Nieves-Rodríguez  
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**CERTIFICATE OF SERVICE**

I HEREBY certify that on August 1, 2007, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: José A. Ruiz, Chief Attorney Criminal Division for U.S. Attorney's Office and Attorney Rafael Castro-Lang.

In San Juan, Puerto Rico, this 1<sup>st</sup> day of August 2007.

S/Brenda Lee Nieves Rodríguez  
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